

E-filed 1/18/07

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Atorneys for Third-Party Defendant
SQUARE D COMPANY, a Delaware
corporation

**UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA, SAN JOSE DIVISION**

THE UNITED STATES OF AMERICA, for
the use and benefit of SUMMERS GROUP,
INC. a Delaware corporation doing business
as REXEL PACIFIC.

Use-Plaintiff,

MID VALLEY ELECTRIC &
COMMUNICATIONS, INC., a corporation
dba CLYDE G. STEAGALL, INC.;
FIREMAN'S FUND INSURANCE
COMPANY, a California corporation,

Defendants.

AND RELATED COUNTERCLAIM

SUMMERS GROUP, INC. a Delaware corporation doing business as REXEL PACIFIC.

Third-Party Plaintiff,

V.

SQUARE D COMPANY, a corporation,

Third-Party Defendant.

Case No.: C04 05458 JF/HRL

**STIPULATION FOR ORDER
MODIFYING SCHEDULING ORDER
TO CONTINUE CERTAIN DATES;
DECLARATION OF MICHAEL I.
WAYNE; [PROPOSED] ORDER**

TRIAL DATE: July 16, 2007

1 In accordance with Rule 6-2 of the Local Rules of the United States District
2 Court for the Northern District of California and this Court's initial Order following
3 filing of Complaint dated December 29, 2004, THE PARTIES, BY AND THROUGH
4 COUNSEL OF RECORD, HEREBY STIPULATE TO THE FOLLOWING:

5
6 The expert discovery cut-off shall be continued to June 30, 2007 with initial
7 expert disclosures to be made no later than April 16, 2007 and supplemental
8 disclosures to be made no later than May 16, 2007.

9
10 DATED: January 17, 2007 GIBBS, GIDEN, LOCHER & TURNER LLP
11 William D. Locher, Esq.
12 Michael I. Wayne, Esq.

13 By: 
14 Michael I. Wayne, Esq.
15 Attorneys for Third-Party Defendant,
16 SQUARE D COMPANY, a Delaware corporation

17 DATED: January 17, 2007 WALSH & ASSOCIATES

18 By: _____
19 Mark Walsh, Esq.
20 Attorneys for Use-Plaintiff and Third-Party Plaintiff
21 SUMMERS GROUP, INC. dba REXEL PACIFIC

22 DATED: January 17, 2007 THURBON & MCHANAY, LP

23 By: _____
24 Erin Holbrook, Esq.
25 Attorneys for Defendants
26 MID VALLEY ELECTRIC & COMMUNICATIONS,
27 INC. dba CLYDE G. STEAGALL, INC. and
28 FIREMAN'S FUND INSURANCE COMPANY

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14 Michael I. Wayne, Esq.
15 Attorneys for Third-Party Defendant,
16 SQUARE D COMPANY, a Delaware corporation

17 DATED: January 16, 2007 WALSH & ASSOCIATES

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19 Mark Walsh, Esq.
20 Attorneys for Use-Plaintiff and Third-Party Plaintiff
21 SUMMERS GROUP, INC. dba REXEL PACIFIC

22 DATED: January 16, 2007

23 THURBON & MCHANAY, LP

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26 Attorneys for Defendants
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 FIREMAN'S FUND INSURANCE COMPANY

2 2

GIBBS, GIDEN, LOCHER & TURNER LLP

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17 DATED: January 16, 2007 WALSH & ASSOCIATES

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19 Mark Walsh, Esq.
20 Attorneys for Use-Plaintiff and Third-Party Plaintiff
21 SUMMERS GROUP, INC. dba REXEL PACIFIC

22 DATED: January 16, 2007 THURBON & MCHANAY, LP

23 By: _____
24 Erin Holbrook, Esq.
25 Attorneys for Defendants
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27 INC. dba CLYDE G. STEAGALL, INC. and
28 FIREMAN'S FUND INSURANCE COMPANY

ORDER

THE COURT, finding good cause, and PURSUANT TO STIPULATION
ORDERS that the scheduling order be modified to provide that the expert discovery
cut-off shall be continued to June 30, 2007 with initial expert disclosures to be made
no later than April 16, 2007 and supplemental disclosures to be made no later than
May 16, 2007.

DATED: 1/18/07

THE HONORABLE JEREMY FOGEL
UNITED STATES DISTRICT COURT JUDGE

PROOF OF SERVICE
**USA FUB SUMMERS GROUP DBA REXEL PACIFIC V. MID VALLEY
ELECTRIC**

Case No. C04 05458 JF/HRL

I, Tina Halvorson, declare:

I am employed in the County of Los Angeles, State of California. I am over the age of 18 and not a party to the within action. My business address is Gibbs, Giden, Locher & Turner LLP, One Century Plaza, 34th Floor, 2029 Century Park East, Los Angeles, California 90067-3039. On January 17, 2007, I served the document(s) described as **STIPULATION FOR ORDER MODIFYING SCHEDULING ORDER TO CONTINUE TRIAL DATES; DECLARATION OF MICHAEL I. WAYNE IN SUPPORT THEREOF; [PROPOSED] ORDER** on the interested parties in this action as follows:

By placing the original a true copy thereof enclosed in a sealed envelope addressed as follows:

SEE ATTACHED SERVICE LIST

BY MAIL: I am "readily familiar" with this firm's practice for the collection and the processing of correspondence for mailing with the United States Postal Service. In the ordinary course of business, the correspondence would be deposited with the United States Postal Service at 2029 Century Park East, Los Angeles, California 90067-3039 with postage thereon fully prepaid the same day on which the correspondence was placed for collection and mailing at the firm. Following ordinary business practices, I placed for collection and mailing with the United States Postal Service such envelope at Gibbs, Giden, Locher & Turner, One Century Plaza, 34th Floor, 2029 Century Park East, Los Angeles, California 90067-3039.

OVERNIGHT DELIVERY: I deposited such envelope in a facility regularly maintained by FEDERAL EXPRESS UPS Overnight Delivery [specify name of service:] with delivery fees fully provided for or delivered the envelope to a courier or driver of FEDERAL EXPRESS UPS OVERNIGHT DELIVERY [specify name of service:] authorized to receive documents at Gibbs, Giden, Locher & Turner, One Century Plaza, 34th Floor, 2029 Century Park East, Los Angeles, California 90067-3039 with delivery fees fully provided for.

BY FACSIMILE: I sent via facsimile a copy of said document(s) to the following addressee(s) at the following number(s) in accordance with the written confirmation of counsel in this action.

[Federal] I declare that I am employed in the offices of a member of the State Bar of this Court at whose direction the service was made. I declare under penalty of perjury under the laws of the United States of America that the above is true and correct

Executed on January 17, 2007, at Los Angeles, California.

Tina Halvorson

SERVICE LIST

Michael J. Walsh, Esq.
Mark Walsh, Esq.
Walsh & Associates
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Irvine, CA 92602

Erin E. Holbrook, Esq.
Thurbon & McHaney, LP
2356 Gold Meadow Way, Suite 160
Gold River, CA 95670

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